

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOAN ROSARIO,

Plaintiff,

- against -

BURNSED TRUCKING INC.,

Defendant.
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: Docket No. 1:21-cv-07347-ER

: **PROPOSED ORDER**

RAMOS, D.J.:

Before this Court is defendant BURNSED TRUCKING INC.'s motion for an Order, pursuant to Rules 37(a)(1) and 45 of the Federal Rules of Civil Procedure, (1) compelling non-party witnesses George Valdez, George Maroulis, Victor Sequinot, and Steven Medina (a) each to comply with the subpoena duly served upon them, and (b) to appear for a deposition at the office of Wilson, Elser, Moskowitz, Edelman & Dicker, located at 150 E. 42nd Street, 23rd Floor, New York, NY 10017, by no later than thirty (30) days after this Court issues a decision and order; and (2) compelling non-party witness George Valdez to produce the documents and information in accordance with the subpoena served upon him on July 5, 2022.

Upon consideration of Defendant's motion and all papers submitted in support of and in opposition thereto, and it having appeared that non-party witnesses George Valdez, George Maroulis, Victor Sequinot, and Steven Medina each were duly served with a copy of the motion,

IT IS HEREBY ORDERED THAT:

1. Defendant's motion to compel is GRANTED; and it is further,

2. ORDERED that non-party witness George Valdez shall fully comply with the subpoena duly served upon him on July 5, 2022, appear for a deposition at the office of Wilson, Elser, Moskowitz, Edelman & Dicker, located at 150 E. 42nd Street, 23rd Floor, New York, NY 10017, by no later than thirty (30) days after this Court issues a decision and order, and produce the documents and information requested in the subpoena at his deposition; and it is further,

3. ORDERED that non-party witness George Maroulis shall fully comply with the subpoena duly served upon him on June 28, 2022, and appear for a deposition at the office of Wilson, Elser, Moskowitz, Edelman & Dicker, located at 150 E. 42nd Street, 23rd Floor, New York, NY 10017, by no later than thirty (30) days after this Court issues a decision and order; and it is further,

4. ORDERED that non-party witness Victor Sequinot shall fully comply with the subpoena duly served upon him on July 7, 2022, and appear for a deposition at the office of Wilson, Elser, Moskowitz, Edelman & Dicker, located at 150 E. 42nd Street, 23rd Floor, New York, NY 10017, by no later than thirty (30) days after this Court issues a decision and order; and it is further,

5. ORDERED that non-party witness Steven Medina shall fully comply with the subpoena duly served upon him on June 30, 2022, and appear for a deposition at the office of Wilson, Elser, Moskowitz, Edelman & Dicker, located at 150 E. 42nd Street, 23rd Floor, New York, NY 10017, by no later than thirty (30) days after this Court issues a decision and order; and it is further,

6. ORDERED that non-party witnesses George Valdez, George Maroulis, Victor Sequinot, and Steven Medina will be held in contempt of Court for their unjustified failure

to comply with the subpoena served upon them and this Order. *See* Fed. R. Civ. P. 37(b)(1) and 45(g).

SO ORDERED.

Dated:

September 7, 2022

A handwritten signature in blue ink, appearing to read 'ER', is positioned above a horizontal line.

Edgardo Ramos, U.S.D.J